PS 8C
(05/08)

June 5, 2008

UNITED STATES DISTRICT COURT
FOR THE
SOUTHERN DISTRICT OF CALIFORNIA
Petition for Summons for Defendant on Pretrial Release

Name of Defendant: Montiel-Martinez, Lizett (English) **Dkt No.:** 08MJ8457PCL-002

Reg. No.: 06347-298

Name of Judicial Officer: The Honorable Peter C. Lewis, U.S. Magistrate Judge

Next Court Date: June 5, 2008, at 1;30 p.m. for Preliminary Hearing before the Honorable Peter C. Lewis, U.S. Magistrate Judge

Charged Offense: 21 USC 952 and 960-Importation of 25.42 Kilograms of Marijuana

Date Conditions Ordered: May 22, 2008, before the Honorable Peter C. Lewis, U.S. Magistrate Judge

Conditions of Release: Restrict travel to Southern District of California; do not enter Mexico; report for supervision to the Pretrial Services Agency (PSA) as directed by the assigned Pretrial Services Officer and pay for the reasonable costs of supervision in an amount determined by PSA and approved by the Court; not possess or use any narcotic drug or other controlled substance as defined in 21 U.S.C.§ 802, without a lawful medical prescription; not possess any firearm or other dangerous weapon or explosive device; Provide the court a current residence address and telephone number prior to release from custody and keep it current while the case is pending; submit to treatment, and/or testing, as specified by the Pretrial Services Officer for drug or alcohol abuse; and actively seek and maintain full-time employment, schooling, or combination both.

Date Released on Bond: May 30, 2008

Asst. U.S. Atty.: John F. Weis
(760) 370-0893

Defense Counsel: Timothy R. Garrison of Federal Defenders
(619) 234-8467

Prior Violation History: None.

FILED
JUN - 5 2008
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY EF DEPUTY

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(05/08)

Name of Defendant: Montiel-Martinez, Lizett
Docket No.: 08MJ8457PCL-002

June 5, 2008

PETITIONING THE COURT

TO SUMMON THE DEFENDANT TO APPEAR IN COURT AND ADDRESS THE ALLEGATION

The Pretrial Services Officer believes the defendant has violated the following condition of pretrial release:

CONDITION	**ALLEGATION OF NONCOMPLIANCE**
(Standard/Special Condition) Not possess or use any narcotic drug or controlled substance, (defined in 21 USC 802) without a lawful medical prescription.	1. The urinalysis sample provided by the defendant on June 3, 2008, tested positive for methamphetamine use.

Grounds for Revocation: I received and reviewed written laboratory notification from the U.S. Pretrial Services laboratory which confirms the urine sample provided by the defendant at U.S. Pretrial Services on June 3, 2008, tested positive for methamphetamine use. The defendant further admitted using methamphetamine on June 1, 2008.

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SUPERVISION ADJUSTMENT

Ms. Montiel-Martinez commenced pretrial release on May 30, 2008, and two days after her release she used methamphetamine. The defendant is unemployed and is not attending school at this time. However, she notes she has enrolled at the Adult Education School in Brawley, California, and is looking for employment. Criminal computerized record checks reveal no violations for the defendant. As the defendant violated her conditions of release shortly after her release on bail, her supervision adjustment is considered very poor.

RECOMMENDATION/JUSTIFICATION

Ms. Montiel-Martinez's behavior clearly demonstrates her failure to take supervision seriously and her blatant disregard towards the judicial system. The defendant appears to have taken advantage of the Court's generosity and her illicit drug use while on bond has placed her life and the life of others in danger. In light of this information, Pretrial Services recommends your Honor summon the defendant to appear in Court and address the allegation on June 5, 2008, at 1:30 p.m.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: June 5, 2008

Respectfully submitted:
LORI A. GAROFALO
CHIEF PRETRIAL SERVICES OFFICER

by ______________________
Arturo Montaño
U.S. Pretrial Services Officer
(760) 335-3436
Place: El Centro, California

Reviewed and approved:

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Carlos Gutierrez
Supervising U.S. Pretrial Services Officer

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THE COURT ORDERS:

__✓__ AGREE, cite the defendant to appear on June 5, 2008, at 1:30 p.m.

________ Other ______________________________

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Peter C. Lewis
U.S. Magistrate Judge

6-5-08
Date